

UNITED STATES DISTRICT COURT

DISTRICT OF NEW MEXICO

Clerk's Minutes

Before the Honorable C. LeRoy Hansen

CASE NO. CIV 02-103 **DATE:** September 4, 2002

TITLE: JAMES SEABA and CORY PHILLIPS v. MESOSYSTEMS TECHNOLOGY, INC.

COURTROOM CLERK: G. Earley **COURT REPORTER:** F. Donica

COURT IN SESSION: 1:48 p.m.

COURT IN RECESS: 1:55 p.m.

TYPE OF PROCEEDING: Motion to Dismiss/Transfer for Lack of Venue

COURT'S RULINGS/DISPOSITION: Plaintiff will file an amended complaint today.

ATTORNEYS PRESENT FOR PLAINTIFF(S):

Lisa Mann

Angelo Artuso

ATTORNEYS PRESENT FOR DEFENDANT(S):

Christopher Bauman

Alberto A. Leon

PROCEEDINGS:

Court in Session: 1:48 p.m.

Ned Godshall present for Defendant.

Ms. Mann approaches lectern, per court's instruction.

Defendant has not filed responsive pleading or m/summary judgment. May amend under rule 15(a).

Ms. Mann states that she would amend only to remove reference for rescission of Non-Compete Agreement contained in Count XIII. Ms. Mann will file amended complaint today, and Court will accept filing.

Defendant does not want to proceed with arguments under an amended complaint that has not yet been filed.

Court in recess: 1:55 p.m.



The Honorable C. LeRoy Hansen

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